

## **REMARKS**

### **Summary**

Claims 1-26 were pending. Claims 1-5, 10-13, 15, and 17-24 are currently amended. Claim 26 is currently added. No claims are cancelled. Accordingly, pending are claims 1-26, of which claims 1, 18, and 27 are independent, and the remainder dependent. Applicants thank the Examiner for the indication of allowable subject matter in claims 1-17, 22, 24, and 26. Applicants respectfully submit that claims 1-17, 22, 24, and 26 remain in condition for allowance, and furthermore, that the remaining and newly added claims are now also in condition for allowance.

### **Interview Summary**

Applicants thank the Examiner for conducting the interview on January 10, 2012. Participating in the interview was Applicant's representative Daniel R. Bestor and Examiner Dsouza. Prior to the interview, a copy of claims 1 and 18 as amended above was provided to the Examiner. No demonstrations were conducted. During the Interview, Applicant's representative summarized the inventive features of the disclosed invention as embodied by the claims and how the amended claims distinguish over the cited art of record. No agreement regarding allowability was reached. The Examiner stated that he would consider the amendments upon receipt of a formal response, and would conduct a new search if necessary. The Examiner stated that, if no new art were found in the search, a notice of allowance would issue.

### **Rejection of Claims**

Claims 18-21, 23, and 25 were rejected in the last office action under 35 U.S.C. § 102(b) as being anticipated by Pinder (USPN 5,742,904). Applicants respectfully submit that

the Pinder reference fails to anticipate each and every element of amended independent claim 18 and that, for at least this reason, the Examiner's rejection should be withdrawn.

In particular, independent claim 18 has been amended to recite that the emergency switch is adapted to "(i) initiate broadcast of an emergency message, said emergency message comprising localization data, an ID of said mobile station and an indication that said emergency message is an emergency message, and to (ii) initiate creation of a talk group comprising all or a subset of other mobile stations responding to said broadcast emergency message." The cited Pinder reference, however, fails to disclose that the mobile station creates a talk group comprising all or a subset of other mobile stations that respond to the broadcast emergency message. Additionally, Pinder fails to disclose that the emergency message is broadcast to surrounding mobile stations, as now recited in claim 18. Rather, Pinder discloses a unicast transmission of an emergency message to a home central controller.

For at least these reasons, Applicants respectfully submit that the Pinder reference fails to disclose each and every element of the pending amended claim 18, and thus fails to anticipate the pending amended claim 18. For at least this reason alone, Applicants respectfully request the withdrawal of the rejection of independent claim 18, and all claims dependent thereon.

### **Conclusion**

Applicant respectfully requests that a timely Notice of Allowance be issued in this case and such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below. Applicant herein petitions for any

extension of time necessary for the filing of this response. Please charge any fees that may be due for this filing to Deposit Account 502117, Motorola Solutions, Inc.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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